

THE CHARTWELL LAW OFFICES, LLP  
Attorneys for Defendant  
*Alpha Chapter of Theta Delta Chi International at Union College*  
81 Main Street, Suite 100  
White Plains, New York 10601  
Phone: (914) 259-8505

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----X  
JANE DOE

**Docket No.: 1:19-CV-284  
GLS/CFH**

Plaintiff,

**NOTICE OF MOTION  
TO DISMISS**

-against-

UNION COLLEGE, THE BOARD OF TRUSTEES  
OF UNION COLLEGE, MELISSA A. KELLEY,  
Individually and as an agent for Union College,  
TRISH WILLIAMS, individually and as an agent  
for Union College; DARCY A. CZAJKA, individually  
and as an agent for Union College; and ALPHA CHAPTER  
of THETA DELTA CHI INTERNATIONAL  
FRATERNITY at UNION COLLEGE,

Defendants.  
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**TO PLAINTIFF AND HIS COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE**, that upon the attached Certification of Carmen A. Nicolaou dated June 5, 2019, Affidavit of Carmen A. Nicolaou, Esq. and annexed exhibits, and the Memorandum of Law in Support, and upon all prior pleadings and proceedings had herein, defendants of the Local Civil Rules of this Court, defendant ALPHA CHAPTER of THETA DELTA CHI INTERNATIONAL FRATERNITY at UNION COLLEGE (hereinafter "TD CHI") by its attorneys, Chartwell Law, will move this Court on July 8, 2019, at 10:00 a.m. at the United States District Court, Northern District of New York, James M. Hanley Federal Building & U.S.

Courthouse, 100 S. Clinton St., Syracuse, New York 13261, pursuant the Local Rules of the United States Court for the Northern District of New York, for an Order: pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (Fed. R. Civ. P.) granting judgment in favor of the TD Chi and dismissing the instant action in its entirety; and for such further relief as this Court deems just, proper and equitable.

**PLEASE TAKE FURTHER NOTICE**, Pursuant to L.R. 7.1(b)(1) opposition papers must be filed with the Court and served upon the other parties not less than seventeen (17) days prior to the return date of the motion.

**PLEASE TAKE FURTHER NOTICE**, this matter is to be taken upon submission of papers without oral argument, unless otherwise ordered by the Court.

Dated: June 5, 2019

**CHARTWELL LAW**  


Carmen A. Nicolaou (Bar Roll: 106174)  
81 Main Street, Suite 100  
White Plains, NY 10601  
(914) 259-8505

*Attorneys for Defendant*

***Alpha Chapter of Theta Delta Chi International at  
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